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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 WILLIAM GARCIA,

12 Plaintiff,

13 v.

14 T. PADGETT, et al.,

15 Defendants.  
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No. 2:21-cv-0875 AC P

ORDER

17 Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42  
18 U.S.C. § 1983. ECF No. 1. Plaintiff has not, however, filed an in forma pauperis affidavit or  
19 paid the required filing fee of \$350.00 plus the \$52.00 administrative fee.<sup>1</sup> See 28 U.S.C. §§  
20 1914(a), 1915(a). Instead, plaintiff has filed a letter which the court construes as a request for an  
21 application to proceed in forma pauperis. See ECF No. 2.

22 The request will be granted. Plaintiff will be provided the opportunity either to submit the  
23 appropriate affidavit in support of a request to proceed in forma pauperis or to submit the required  
24 fees totaling \$402.00.

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27 <sup>1</sup> If leave to file in forma pauperis is granted, plaintiff will still be required to pay the filing fee  
28 but will be allowed to pay it in installments. Litigants proceeding in forma pauperis are not  
required to pay the \$52.00 administrative fee.

1 In accordance with the above, IT IS HEREBY ORDERED that:

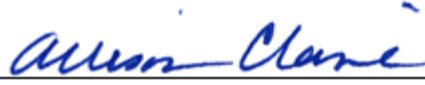
2 1. The Clerk of Court is directed to send plaintiff a new Application to Proceed In Forma  
3 Pauperis By a Prisoner;

4 2. Plaintiff's request for an application to proceed in forma pauperis (ECF No. 2) is  
5 GRANTED, and

6 3. Within thirty days of the date of this order, plaintiff shall submit an affidavit in support  
7 of his request to proceed in forma pauperis on the form provided by the Clerk of Court, or the  
8 required fees in the amount of \$402.00.

9 Plaintiff's failure to comply with this order will result in a recommendation that this  
10 action be dismissed.

11 DATED: May 25, 2021

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13 ALLISON CLAIRE  
14 UNITED STATES MAGISTRATE JUDGE  
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